

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 70, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

1 Delete everything after the enacting clause and insert the
2 following:
3 SECTION 1. IC 35-46-1-4.5 IS ADDED TO THE INDIANA
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2005]: **Sec. 4.5. (a) As used in this section,**
6 **"controlled substance" means a controlled substance listed in**
7 **schedule I, II, III, IV, or V in IC 35-48-2.**
8 **(b) A woman who:**
9 **(1) is pregnant;**
10 **(2) knowingly or intentionally introduces into her body a**
11 **controlled substance; and**
12 **(3) does not have:**
13 **(A) a valid prescription; or**
14 **(B) an order of a practitioner (as defined in**
15 **IC 35-48-1-24) acting in the course of the practitioner's**
16 **professional practice;**
17 **for the controlled substance;**
18 **commits neglect of a fetus, a Class D felony.**
19 **(c) This section does not apply to an abortion performed in**
20 **compliance with IC 16-34.**
21 SECTION 2. [EFFECTIVE JULY 1, 2005] IC 35-46-1-4.5, as

22 **added by this act, applies only to acts committed after June 30,**

1 **2005.**

(Reference is to SB 70 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Corrections, Criminal, and Civil Matters.

GARTON

Chairperson